

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

FILED
02/10/2020
Clerk, U.S. District Court
Western District of Texas

By: RRV
Deputy

USA
vs.
(1) HERNAN MONFILIO JAPON-GUALAN

§
§ CRIMINAL COMPLAINT
§ CASE NUMBER: EP:20-M -00834(1) - MAT
§
§


I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **February 07, 2020** in **El Paso** county, in the **WESTERN DISTRICT OF TEXAS** defendant did, being an alien to the United States, enter, attempt to enter, or was found in the United States after having been previously excluded, deported, or removed from the United States without receiving permission to reapply for admission to the United States from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557

in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts:
"The DEFENDANT, Hernan Monfilio JAPON-Gualan, an alien to the United States and a citizen of Ecuador was found approximately 7.2 miles west of the Tornillo Port of Entry in Tornillo, Texas in the Western District of Texas. From statements

Continued on the attached sheet and made a part of hereof.

Sworn to before me and subscribed in my presence,



Signature of Complainant
Machuca, Alexis
Border Patrol Agent

02/10/2020
File Date

at EL PASO, Texas
City and State

MIGUEL A. TORRES
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

WESTERN DISTRICT OF TEXAS

(1) HERNAN MONFILIO JAPON-GUALAN

FACTS (CONTINUED)

made by the DEFENDANT to the arresting agent, the DEFENDANT was determined to be a native and citizen of Ecuador, without immigration documents allowing him to be or remain in the United States legally. The DEFENDANT has been previously removed from the United States to Ecuador on 1/10/2020 through Alexandria, La. The DEFENDANT has not previously received the expressed consent from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

The DEFENDANT has been deported 2 time(s), the last one being to ECUADOR on January 10, 2020, through ALEXANDRIA, LA

CRIMINAL HISTORY:

NONE